

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHRISTINE SECILIA,

CIVIL DIVISION

PLAINTIFF,

No.: 08-0208

V.

HONORABLE NORA BARRY FISCHER

BOROUGH OF MT. OLIVER,  
PENNSYLVANIA,

JURY TRIAL DEMANDED

DEFENDANT.

**OFFER OF JUDGMENT PURSUANT TO RULE 68 TO PLAINTIFF,**  
**CHRISTINE SECILIA**

AND NOW, comes Defendant BOROUGH OF MT. OLIVER, PENNSYLVANIA, by and through its attorneys, PATRICIA A. MONAHAN, ESQUIRE, AND MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN serve upon counsel for the Plaintiff, Christine Secilia, the within Offer of Judgment in accordance with Rule 68 of the Federal Rules of Civil Procedure, stating as follows:

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Plaintiff, Christine Secilia is hereby served with an offer to allow judgment to be taken against BOROUGH OF MT. OLIVER, PENNSYLVANIA, in the aggregate amount of [REDACTED] [REDACTED] inclusive of all claims including, but not limited to back pay, compensatory damages, and punitive damages, set forth in the Plaintiff's pleadings in the within case and other claims, whether stated or unstated, which might have been brought in Plaintiff's Complaint.

This Offer of Judgment is made for the purposes specified in Rule 68, and is not to be construed either as an admission that Defendant is liable in this action, or that Plaintiff has suffered any damage. This Offer of Judgment is conditioned upon the Plaintiff's acknowledgment that the Defendant has made no admission of liability or wrongdoing, and that Plaintiff and her counsel further agree to keep confidential the terms of the Offer of Judgment and/or Judgment, other than to the extent the Judgment may become part of the record pursuant to Rule 68, and to the extent that the terms of the Offer of Judgment and/or Judgment are subject to the Right-to-Know law.

In addition to the foregoing offer, Plaintiff may petition the Court for recovery of reasonable and necessary counsel fees and costs recoverable under 42 U.S.C. §1988 in conjunction with the within civil action.

In accordance with Rule 68 of the Federal Rules of Civil Procedure, this Offer of Judgment will be deemed withdrawn unless accepted within ten (10) days of the date hereof. If this Offer of Judgment is not accepted as set forth above, it is the intention of the Defendant to seek recovery of its attorney's fees and defense costs to the fullest extent permitted by Rule 68 and Rule 11 of the Federal Rules of Civil Procedure and 42 U.S.C. §1988.

Respectfully submitted,

BY:  /abd

PATRICIA A. MONAHAN, ESQUIRE

PA ID #58784

DANIELLE M. VUGRINOVICH, ESQUIRE

PA ID #88326

**Attorneys for Defendant Borough of Mt. Oliver,  
Pennsylvania**

Date: 6/10/08

**CERTIFICATE OF SERVICE**

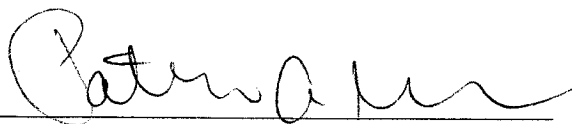
I hereby certify that I have served upon all persons listed below a true and correct copy of an **OFFER OF JUDGMENT TO PLAINTIFF, CHRISTINE SECILIA** in the above-captioned matter this 10<sup>TH</sup> day of June, 2008 via facsimile and U.S. regular mail.

John E. Black, III, Esquire  
Ogg, Cordes, Murphy & Ignelzi, LLP  
245 Fort Pitt Boulevard, Suite 400  
Pittsburgh, PA 15222-1511  
Fax: 412-471-8503

*(Counsel for Plaintiff)*

**MARSHALL, DENNEHEY, WARNER,  
COLEMAN & GOGGIN, P.C.**

BY:

 /abd  
\_\_\_\_\_  
PATRICIA A. MONAHAN, ESQUIRE  
DANIELLE M. VUGRINOVICH, ESQUIRE  
**Attorneys for Defendant, Borough of  
Mt. Oliver, Pennsylvania**